

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BOARDS OF TRUSTEES OF THE  
NORTHWEST IRONWORKERS HEALTH  
AND SECURITY FUND, NORTHWEST  
IRONWORKERS RETIREMENT TRUST,  
NORTHWEST FIELD IRONWORKERS  
ANNUITY TRUST FUND, NORTHWEST  
IRONWORKERS EMPLOYERS  
VACATION TRUST, NORTHWEST  
IRONWORKERS & EMPLOYERS  
APPRENTICESHIP & TRAINING TRUST  
FUND.

Plaintiffs,

v.

WESTERN REBAR CONSULTING INC.,  
d/b/a WESTERN INDUSTRIES, INC., and  
DUANE MAY JR. and BETSY MAY, and  
the martial community jointly and severally,

Defendants.

CASE NO. 2:18-cv-00486-RAJ-BAT

**ORDER**

Having reviewed the Report and Recommendation of the Honorable Brian A. Tsuchida,  
United States Magistrate Judge, any objections or responses to that, and the remaining record,  
the Court finds and **ORDERS**:

- (1) The Court **ADOPTS** the Report and Recommendation.

(2) Plaintiffs' motion for summary judgment (Dkt. 52) is **GRANTED**; Defendants' cross-motion for summary judgment (Dkt. 55) is **DENIED**.

(3) Judgment shall be entered in favor of Plaintiffs against Defendant Western Rebar Consulting, Inc. d/b/a Western Industries, Inc., for unpaid contributions of \$92,014.36 for the Audit period of June 1, 2016 through June 30, 2018, minus \$3,312.62 identified as overpayments in the audit for pension, annuity and apprenticeship funds; \$32,695.55 in liquidated damages; \$60,117.661 in interest (through May 15, 2021); and \$16,006.85 in accounting fees.

(4) Judgment shall be entered in favor of Plaintiffs against Defendants Duane May, Jr. and Betsy May, jointly and severally, and their marital community, for a portion of the above contributions consisting of \$4,264.23 in vacation/PTO contributions, withheld from employee paychecks; Liquidated damages of \$750.00; and Interest of \$316.95.

(5) Ironworkers shall submit a motion for their attorney fees, along with an updated interest calculation within **ten (10) days** of this Order.

(6) The Clerk is directed to send copies of this Order to the parties and to Judge Tsuchida.

Dated this 8th day of June, 2022.

A handwritten signature in black ink, reading "Richard A. Jones", written over a horizontal line.

The Honorable Richard A. Jones  
United States District Judge